

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below.

Marlene Caprer

Type or print name of person signing certification

Marlene Caprer
Signature

April 7, 2005
Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-------------|---|---|
| In re: | Patent Application of Andrea Heilemann, <i>et al.</i> | : Group Art Unit: 1623 |
| | | : |
| Appln. No.: | 10/030,974 | : Examiner: G. Krishnan |
| | | : |
| Filed: | May 13, 2002 | : Confirmation No.: 4429 |
| | | : |
| For: | PROCESSES FOR PREPARING CROSSLINKER- FREE, BIOPOLYMER-CONTAINING THREE DIMENSIONAL STRUCTURES, AND PRODUCTS PREPARED THEREBY | : Attorney Docket No.: H 4172 PCT/US |
| | | : |

TERMINAL DISCLAIMER

Cognis Deutschland GmbH & Co. KG ("Cognis"), whose place of business is Henkelstrasse 67, 40589 Duesseldorf, Germany, represents that it is the owner of the entire interest in and to the above-identified U.S. patent application. Cognis, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent issuing from application Serial No. 10/030,933, filed on May 13, 2002 ("the copending application"), or of any patent issuing from any application which is entitled to the benefit of the filing date of the copending application under 35 U.S.C. 120, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from the copending application or any application which is entitled to the benefit of the filing date thereof. This agreement is to run

1814-130

Appl. No.: 10/030,974
Group Art Unit: 1623

with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Cognis does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the copending application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part; is terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I, Aaron R. Ettelman, Registration No. 42,516, represent that I am the attorney of record and as such am authorized to sign on behalf of the assignee identified below owning all of the interest in the above identified application. I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The statutory \$130.00 fee for a disclaimer (37 CFR §1.20(d)) is requested to be charged to Deposit Account No. 50-1177. Order No. 05-0130

Respectfully submitted,

April 6, 2005
(Date):

By: 

AARON R. ETTELMAN
Registration No. 42,516
COGNIS CORPORATION
300 Brookside Avenue
Ambler, PA 19002
Telephone: (215) 628-1413
Facsimile: (215) 628-1345